



California Regional Water Quality Control Board

San Diego Region

Winston H. Hickox
Secretary for
Environmental
Protection

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Gray Davis
Governor

November 7, 2003

To: Publicly Owned Treatment Works Agencies
Discharging to the Oceanside and Encina Ocean
Outfalls (see attached list)

In Reply Refer To:
POTW: 01-0030.02:VASQV
POTW: 01-0115.02:VASQV
POTW: 01-0146.02:VASQV
POTW: 01-1182.02:VASQV

Dear Sir or Madam:

STAFF RESPONSES TO COMMENTS AND PROPOSED ERRATA FOR TENTATIVE ADDENDA TO MONITORING AND REPORTING PROGRAMS OF NPDES PERMITS FOR AGENCIES DISCHARGING TO THE OCEANSIDE AND ENCINA OCEAN OUTFALLS

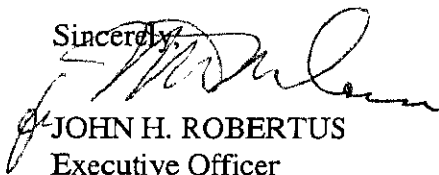
Enclosed is a copy of responses to written comments received regarding the tentative Addenda to the Monitoring and Reporting Programs of NPDES permits for agencies discharging to the Oceanside and Encina Ocean Outfalls. The comment letters were received from the City of Oceanside and the Encina Wastewater Authority. Thus far, these are the only comments received concerning the tentative addenda. Full copies of these comment letters may be obtained by contacting the Regional Board office.

Also enclosed is a copy of correspondence dated November 6, 2003 received from County of San Diego Department of Environmental Health (DEH) in response to a request from the Regional Board. The response from DEH necessitates a revision to the tentative Addenda. Therefore, also enclosed is an errata sheet containing proposed revisions to the tentative addenda. Staff will present its responses to comments and the errata sheet to the Regional Board for consideration prior to the Regional Board meeting scheduled for November 12, 2003.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any question regarding the above, please contact Mr. Victor Vasquez at (858) 636-3155, or via e-mail at vasqv@rb9.swrcb.ca.gov.

Sincerely,


JOHN H. ROBERTUS
Executive Officer

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

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POTW Agencies Discharging to the
Encina and Oceanside Ocean Outfalls

November 7, 2003

JHS:mpm:bdk:vrw

- Enclosures:
- 1) List of POTW Agencies Discharging to the Encina and Oceanside Ocean Outfalls
 - 2) County of San Diego DEH correspondence dated November 6, 2003 with attached revised "Standard Operating Procedures for the Collection of Water Samples for Bacterial Analysis from Ocean and Bay Receiving Waters"
 - 3) Regional Board staff responses to comments from interested parties
 - 4) Errata sheet containing proposed revisions to the tentative Addenda

cc: Ms. Kathi Moore
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US Environmental Protection Agency
M.S. WTR-7
San Francisco, CA 94105

Mr. Mark McPherson
Chief, Land and Water Division
Department of Environmental Health
P.O. Box 129261
San Diego, CA 92112-9261

Mr. Michael T. Thonton
Manager
San Elijo Joint Powers Authority
2695 Manchester Avenue
Cardiff, CA 92007

Mr. Greg Langlois
California Department of Health Services
Shellfish Sanitation Unit
2151 Berkeley Way
Berkeley, CA 94704

Mr. Ken Schiff
Southern California Water Research Project
7171 Fenwick Lane
Westminster, CA 92683

Mr. Rolf Frankenbach
Environmental Scientist
California Department of Health Services
Preharvest Shellfish Sanitation Unit
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Richmond, CA 94804

Rec Water M&RP Tent Adden transmittal 10-09-03.doc

California Environmental Protection Agency

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List of POTW Agencies Discharging to the
Encina and Oceanside Ocean Outfalls

November 7, 2003

Mr. Barry E. Martin
Water Utilities Director
City of Oceanside
300 North Coast Highway, Building B
Oceanside, CA 92054

Mr. Joe Jackson
Asst. General Manager
Fallbrook Public Utility District
990 E. Mission Rd.
P.O. Box 2290
Fallbrook, CA 92088-2290

Mr. Lupe Armas
AC/S Environmental Security
U.S. Marine Corps Base Camp Pendleton
P.O. Box 555008
Camp Pendleton, CA 92055-5008

Mr. Michael T. Hogan
General Manager
Encina Wastewater Authority
6200 Avenida Encinas
Carlsbad, CA 92009-1095

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

ITEM NO. 7 a, b, c, and d

**TENTATIVE ADDENDA TO THE NPDES PERMITS
FOR AGENCIES DISCHARGING TO THE PACIFIC OCEAN
THROUGH THE ENCINA AND OCEANSIDE OCEAN OUTFALLS**

RESPONSES TO COMMENTS FROM INTERESTED PARTIES

COMMENT	STAFF RESPONSE
Comments received from City of Oceanside	
The City of Oceanside does not object to the increase in monitoring. We have always felt that public safety is the most important priority. The City voluntarily added five additional shoreline sampling locations so that the entire coastline within Oceanside is monitored. We have sampled these voluntary locations for over twenty years.	Comment noted.

COMMENT	STAFF RESPONSE
<p>As long as you are incorporating the standard operating procedures for collecting the samples from the San Diego County Department of Environmental Health, you should also adopt the recommended methods for the analysis of recreational marine water for AB 411. See the following website for a copy: http://www.dhs.cahwnet.gov/ps/ddwem/beaches/ab411methods.htm</p> <p>The methods are recommended by the Environmental Laboratory Accreditation Program (ELAP) and the Microbiological Disease Laboratory (MDL) for the analysis of recreational marine water for compliance with Health and Safety Code §115880 [Assembly Bill 411 (AB 411), Statutes of 1997, Chapter 765].</p> <p>The only change that adopting the methods recommended by the County would be to add the IDEXX Company method for enterococcus called Enterolert [sic]. The City currently tests the five required shore stations identified as S-1 through S-5 in our NPDES permit using the Standard Method 9230 C, which takes 48 hours to run. The five voluntary stations are tested using the Enterolert method, which only takes 24 hours to complete. It is desirable that with this increased monitoring, the City be allowed to use Enterolert -for all samples. Both data are acceptable to the County. They prefer the Enterolert method because of the 24-hour completion.</p>	<p>Currently, NPDES permits limit test methods for the analysis of enterococci to membrane filtration methods or to “improved methods” authorized by the Regional Board Executive Officer. In July 2003, the US EPA approved Enterolert, a “most probable number” method, as a test method for the analysis of enterococci in ambient marine waters.</p> <p>In light of the US EPA approval of Enterolert, staff will recommend to the Executive Officer that Enterolert be authorized for use as an improved method. Such action does not require an amendment of the NPDES permits. Agencies with NPDES permits will be notified at the time that the Executive Officer grants the authorization for the use of Enterolert.</p> <p>The SOP developed by County of San Diego DEH states that analysis of receiving water samples must be in accordance with the most current version of <u>Standard Methods for the Examination of Water and Wastewater</u>. Enterolert is not currently a method listed in Standard Methods; therefore, the allowed methods for all receiving water monitoring stations, including the surf zone stations, must be those indicated in the NPDES permits until the Executive Officer grants authorization for the use of Enterolert.</p>
<p>The methods to be used for analysis should be standardized between the RWQCB and DEH. Currently, the Enterolert method for enterococcus is accepted by the DEH while this method is not accepted by the RWQCB.</p>	

COMMENT	STAFF RESPONSE
<p>Sampling weekly during the winter months is going to subject the City to monitoring for stormwater effects when our actual requirement is to see if the outfall is impacting the shoreline. Sampling during or after rain events will be necessary in order to meet the weekly sampling requirement. Under the AB411 requirements, any samples that exceed the AB411 limits must be posted and resampled in order to remove the signs. The original sample and the resample data will be entered into our NPDES monitoring reports. There is a concern that this will lead to issuance of violations to the City when storm water runoff is the cause of the elevated bacterial counts.</p> <p>The County does not currently take shoreline samples during the winter. During a storm event they issue a 72-hour advisory. The only areas that could possibly be posted are sample locations taken by sewer agencies or areas contaminated by a sewer spill. Posting during an advisory will lead to confusion by the public. Is this posted area worse than the other areas under an advisory? If the monitoring program is to truly determine if the sewage plume is returning to the shoreline, then sampling during or after rain events should not be used in compliance determinations or the sampling should be suspended.</p>	<p>The issues raised in the comment with regards to sampling during the winter period (November – April) are relevant even with the current biweekly winter sampling frequency. The Regional Board, the dischargers, San Diego County DEH, and beach users have had to face these issues for many years. Increasing sampling frequency to weekly does not change the fact that dischargers have at times had to sample surf zone stations during and within 72 hours of a storm event and that monitoring results can lead to posting (closure) of beaches simultaneous with an advisory. The Regional Board therefore maintains that the weekly frequency proposed in the addenda is appropriate and does not raise new issues. However, the Regional Board recognizes that hazardous conditions during storm events may preclude the collection of surf zone samples for a specific week; in such a situation, the Regional Board can waive the monitoring requirement on a case-by-case basis as it has in the past.</p>
<p>Increasing the sampling frequency during the winter months will reduce the flexibility to avoid sampling during and immediately after a storm event. Can a provision be included that would not require sampling during a storm and the following 72 hr advisory period?</p>	<p>In making the determination whether the discharger's sewage plume has caused or is causing an impact at the surf zone stations, the actual sample result or calculated result (in the case of geometric means) is only one of several factors considered by the Regional Board. Other factors include monitoring results from the near-shore and off-shore stations, weather, water temperature, current, and presence or absence of the thermocline. An observed high result for a surf zone monitoring sample is not sufficient to demonstrate that the sewage plume of the outfall is reaching the shoreline.</p>

COMMENT	STAFF RESPONSE
<p>A standardized procedure for statistical calculations should be established when results <MDL are included. Currently, some agencies use ½ the MDL and some use the numeric value of the MDL.</p>	<p>The Regional Board understands this comment to be limited to statistical calculations for receiving water monitoring and compliance determination. Consequently, this response does not apply to effluent monitoring and compliance determination.</p> <p>Receiving water monitoring requirements and compliance determination requires the calculation of the geometric mean. When the data set includes analytical results that are less than the detection level for the analytical method, it is not possible to calculate the geometric mean. In such situations, the Regional Board recommends that the median of the data set be reported in lieu of the geometric mean. This approach is appropriate because the median is an estimate of the geometric mean and does not require substitution for values below the detection level.</p>

COMMENT	STAFF RESPONSE
Comments received from Encina Wastewater Authority <i>(Similar comments were received from City of Oceanside via e-mail on November 4, 2003 in support of these comments from EWA)</i>	
<p>The Encina Wastewater Authority (EWA) appreciates the opportunity to provide the following comments on the "Standard Operating Procedures for the Collection of Water Samples for Bacterial Analysis from Ocean and Bay Receiving Waters":</p> <ul style="list-style-type: none"> • Many versions of the <u>Standard Methods for Waster Analysis</u> [sic] exist in varying forms; therefore, we suggest using the words, "most current approved version" (Reference: Shoreline Sample Collection, Introduction). • Wearing gloves during sample gathering is not practical as they become slippery (Reference: Shoreline Sample Collection, General Standard Sampling Procedures). • The use of 100 ml bottles is not sufficient for the membrane filtration and testing required by the NPDES permit; instead EWA uses 500 ml bottles (Reference: Shoreline Sample Collection, General Standard Sampling Procedures). • Please provide more clarification on the methods necessary to ensure sterilized samples bottles are EPA approved (Reference: Shoreline Sample Collection, Sampling Report and Documentation). • The use of a pole for sampling is not practical, and may pose a safety concern, in some conditions where sampler is required to cross cliffs to get to the shoreline (Reference: Shoreline Sample Collection, Section iv). • A depth of 12 inches for sampling, in our experience, results in additional sediment in the sample; a depth of greater than 12 inches may be more appropriate (Reference: Shoreline Sample Collection, Section viii). • During certain conditions, sediment will enter the sample bottle regardless of the sampling procedure (Reference: Shoreline Sample Collection, Section xiii). 	<p>Because the comment applies specifically to the SOP, the Regional Board forwarded a copy of the EWA comment letter to the County of San Diego Department of Environmental Health for review and response. By letter dated November 4, 2003, the Regional Board requested input from DEH on the appropriate responses to the comments.</p> <p>The Regional Board received DEH correspondence dated November 6, 2003 in response to the Regional Board's request. DEH responded to the first, third, fourth, and seventh bulleted issues from EWA by revising the SOP. DEH disagreed with the second, fifth, and sixth bulleted issues from EWA and did not revise the SOP for those issues. DEH provided a revised SOP with their November 6, 2003 correspondence. That version of the SOP indicates that it was updated on November 4, 2003.</p> <p>Upon adoption of the tentative addenda, the version of the SOP that will be incorporated by reference in the addenda will be the version updated on November 4, 2003. An errata sheet for the proposed addenda has been prepared to recognize that the SOP has been updated since the tentative addenda were first publicly noticed.</p> <p>The SOP developed by County of San Diego DEH states that analysis of receiving water samples must be in accordance with the most current version of <u>Standard Methods for the Examination of Water and Wastewater</u>. Enterolert is not currently a method listed in Standard Methods; therefore, the allowed methods for all receiving water monitoring stations, including the surf zone stations, must be those indicated in the NPDES permits until the Executive Officer grants authorization for the use of Enterolert.</p>

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